



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

December 1, 2003

Mr. Jon C. Smith
Deputy State Historic Preservation Officer
Indiana Department of Natural Resources
Division of Historic Preservation & Archaeology
402 W. Washington Street, W274
Indianapolis, Indiana 46204-2739

Re: STB Docket No. AB-55 (Sub-No. 634X) CSX Transportation, Inc. -
Abandonment Exemption - In Monroe County, IN

Dear Mr. Smith:

The Surface Transportation Board's (Board) decision in this proceeding, served October 17, 2003, imposed a condition requiring the railroad to retain its interest in and take no steps to alter the historic integrity of the line in its entirety until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, had been completed.

Your office - the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (the State Historic Preservation Office or SHPO) - completed an analysis of the proposed abandonment (see attachment). The analysis did not identify any archeological resources listed in or eligible for inclusion in the National Register of Historic Places (National Register) within the probable area of potential effects. With respect to buildings and structures within the probable area of potential effects, your office identified two properties that meet the criteria to be considered eligible for inclusion in the National Register, and seven properties that are listed in the National Register. However, your office concluded that the proposed abandonment would not be expected to result in any alterations to the characteristics of these historic properties that qualify them for inclusion in or eligibility for the National Register.

The Board's Section of Environmental Analysis (SEA) has completed an analysis of the your findings, the railroad's Historic Report, and relevant public comments, and concurs that no properties included in or eligible for the National Register would be affected by the proposed abandonment. Accordingly, SEA has also recommended that the Section 106 condition imposed by the Board in this proceeding be removed.

A copy of this letter has been provided to the consulting parties including the City of Bloomington and CSX Transportation, Inc. The document is available for public inspection on the Board's website (www.stb.dot.gov) under "Environmental Issues." Click on "Environmental

Correspondence” and review the documents under STB Docket No. AB-55 (Sub-No. 634X). The document is also available for public inspection at the Board’s Public Docket in Washington, DC.

Thank you for your assistance in this proceeding. If you have any questions, please contact me at 202-565-1593.

Sincerely

A handwritten signature in black ink, appearing to read "David C. Navecky". The signature is fluid and cursive, with the first name "David" being more prominent.

David C. Navecky
Environmental Protection Specialist

Attachment

cc: Ms. Natalie S. Rosenberg, CSX Transportation, Inc.
Ms. Susan Failey, City of Bloomington
Office of Congressional and Public Services (Public Docket) - 2 copies
SEA Chron - 1 copy



Indiana Department of Natural Resources

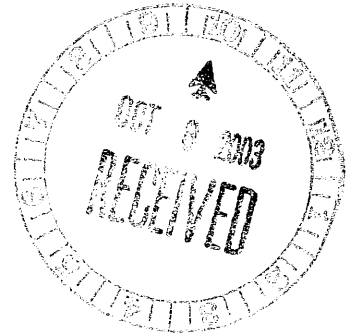
Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.state.in.us

Frank O'Bannon, Governor
John Goss, Director



September 30, 2003

Elaine K. Kaiser
Environmental Project Director
Surface Transportation Board
Environmental Analysis
1925 K Street, Northwest, Suite 534
Washington, DC 20423-0001



Federal Agency: Surface Transportation Board ("STB")

Re: STB's environmental assessment for the abandonment of 2.95 miles of CSX Transportation railroad line, between M.P. 00Q-219.55 and M.P. 00Q-222.50 (Docket #AB-55 [Sub-No. 634X])

Dear Ms. Kaiser:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials received on September 3, 2003, for the above indicated project in Bloomington, Bloomington and Perry townships, Monroe County, Indiana.

Based upon the documentation available to the staff of the Indiana SHPO, we have not identified any archaeological resources listed in or eligible for inclusion in the National Register of Historic Places within the probable area of potential effects.

Be advised that if any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In the event that artifacts or features are discovered during the implementation of the Federally assisted project, activity, or program and a plan has not been developed, it is the Federal agency's responsibility to make reasonable efforts to avoid, minimize or mitigate adverse effects in accordance with 36 C.F.R. § 800.13.

In regard to buildings and structures, we have identified the following properties within the probable area of potential effects, and we believe that they meet the criteria of eligibility for inclusion in the National Register of Historic Places due to their historical and architectural significance:

The Adams Brothers Houses and Carriage House at 431 - 441 South College Avenue (Site #105-055-90176 per the *Bloomington, Monroe County Interim Report*) is the work of a master Chicago architectural firm, Holabird and Roche.

The Henderson House at 748 South Morton Street is a good example of the five bay, central entrance, I house form.

Additionally, we have identified the following properties listed in the National Register within the probable area of potential effects:

The Seminary square Park at the intersection of College Avenue and East Second Street (105-055-80129) was listed in the National Register on September 19, 1977.

The Cochran-Lindley House 405 North Rogers, part of the Near West Side Historic District, was individually listed in the National Register on June 20, 1979.

The Courthouse Square Historic District was listed in the National Register on December 18, 1990.

The Prospect Hill Historic District was listed in the National Register on March 14, 1991.

The Second Baptist Church at 321 North Rogers, part of the Near West Side Historic District, was individually listed in the National Register on September 14, 1995.

The Near West Side Historic District was listed in the National Register on February 14, 1997.

The Steele Dunning Historic District was listed in the National Register on September 22, 2000.

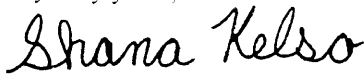
However, based on the information provided to our office, we believe that there will not be any alterations to the characteristics of the above identified historic properties qualifying them for inclusion in or eligibility for the National Register (*see* 36 C.F.R. § 800.16[i]).

Therefore, upon completing its own identification and evaluation efforts, it would be appropriate for the STB to analyze the information that has been gathered from the Indiana SHPO, the general public, and any other consulting parties and make the necessary determinations and findings. Refer to the following comments for guidance:

- 1) If the STB believes that a determination of "no historic properties affected" accurately reflects its assessment, then it shall provide documentation of its finding as set forth in 36 C.F.R. § 800.11 to the Indiana SHPO, notify all consulting parties, and make the documentation available for public inspection (36 C.F.R. §§ 800.4[d][1] and 800.2[d][2]).
- 2) If, on the other hand, the STB finds that an historic property may be affected, then it shall notify the Indiana SHPO, the public and all consulting parties of its finding and seek views on effects in accordance with 36 C.F.R. §§ 800.4(d)(2) and 800.2(d)(2). Thereafter, the STB may proceed to apply the criteria of adverse effect and determine whether the project will result in a "no adverse effect" or an "adverse effect" in accordance with 36 C.F.R. § 800.5.

We look forward to receiving notice of the STB's findings. *A copy of the revised 36 C.F.R. Part 800 that went into effect on January 11, 2001, may be found on the Internet at www.achp.gov for your reference.* If you have questions about our comments, please call our office at (317) 232-1646. Questions about archaeological issues should be directed to Bill Mangold. Questions about historic buildings or structures pertaining to this project should be directed to Shana Kelso.

Very truly yours,



for: Jon C. Smith
Deputy State Historic Preservation Officer

JCS:SNK:WLM:snk